

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

JAMARIUS FERGUSON, )  
Plaintiff, ) NO. 3:07-0545  
v. ) JUDGE HAYNES  
GOVERNOR PHIL BREDESEN, et al., )  
Defendants. )

**ORDER**

In accordance with the Memorandum filed herewith, the motion to dismiss (Docket Entry No. 8) on behalf of the Defendants; Bredesen, Miller, Hornsby, Martinez and Dawson is **GRANTED in part and DENIED in part**. The motion to dismiss the Defendant Dawson. is **DENIED**. The motion is otherwise **GRANTED**.

Plaintiff's claims against the Defendants: Phil Bredeson, Governor; Viola Miller, Commissioner of the Department of Children's Services ("DCS"); Steve Hornsby, DCS Deputy Commissioner; and Ted Martinez, DCS Executive Director of the Office of Juvenile Justice are **DISMISSED with prejudice**.

It is so ORDERED.

Entered this the 5<sup>th</sup> day of March, 2008.

  
\_\_\_\_\_  
William J. Haynes, Jr.  
United States District Judge